

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takashi TANAKA et al. Group Art Unit: 2612  
Serial No : 10/517,316 Examiner: Nam V. NGUYEN  
Filed : December 17, 2004 Confirmation No.: 6727  
For : METHOD OF MULTI-READING A PLURALITY OF IDS

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AF  
Randolph Building  
401 Dulany Street  
Alexandria VA 22314

Sir:

In response to the Final Official Action of November 19, 2007, and further to the Response under 37 CFR 1.116 which was filed on April 21, 2008, Applicants respectfully request that a pre-appeal brief panel review and withdraw the outstanding rejection. Further, Applicants request an indication of the allowability of all claims pending in the present application in view of the herein contained remarks.

**Remarks** begin on page 2 of this paper.

REMARKS

On April 21, 2008, Applicants filed a Response under 37 CFR 1.116. In the Response, claims 7, 8, 12 and 13 were rewritten in independent form, and to correct antecedent basis issues under 35 U.S.C. §112, 2<sup>nd</sup> paragraph, and claims 1-6, 9-11 and 14 were cancelled. As of the filing date of the present paper, the Examiner had not yet entered the Response. However, Applicants presume that the Response will be entered, as it does not raise any new issues requiring further search and/or consideration. Rather, the amendments in the Response merely cancel claims, rewrite dependent claims in independent form, and correct minor antecedent basis issues.

Applicants submit that the rejection under 35 U.S.C. §112, 2<sup>nd</sup> paragraph has been overcome by amendments in the Response.

Applicants respectfully traverse the Examiner's rejection of claims 7, 8, 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Vercellotti et al. (U.S. Patent No. 5,266,925). Applicants submit the following, as examples of clear legal and factual deficiencies in the outstanding rejection:

**A. Vercellotti et al. fails to disclose or suggest a method which includes specifying first and second read ranges of IDs by one of a start value and an end value, and an exponent value which sets a size of a read range of IDs, where an end value E of a read range is calculated by the formula  $E=S + 2^e-1$  when the read range is specified by a start value S of the read range and an exponent value e, as recited in claims 7 and 12.**

Vercellotti et al. discloses a tag interrogation method in which an interrogator 26 broadcasts an interrogation address A, and a plurality of electronic identification tags 28

reply to the interrogator 26 if their tag identification numbers are greater than the interrogation address A. See col. 3, lines 42-63 of Vercellotti et al. If the interrogator receives no replies, the interrogation address A is decremented by  $2^{m-j}$ , and if the interrogator receives more than reply, the interrogation address A is incremented by  $2^{m-j}$ . See Fig. 1 and col. 4, lines 19-36 of Vercellotti.

Applicants submit that Vercellotti's read range of tag identification numbers is specified only by the interrogation address A, and not by an exponent value which sets a size of a read range of the tag identification numbers. In this regard, the interrogator 26 broadcasts only the interrogation address A, which may be incremented or decremented based on a number of replies to the interrogation

Accordingly, Applicants also submit that Vercellotti et al. fails to disclose or suggest any calculation of a read range, much less a calculation using the formula  $E=S + 2^e - 1$ . Rather, Vercellotti's electronic identification tags 28 merely determine whether to reply to the interrogator 26 based whether their tag identification numbers are greater than the interrogation address A.

For at least these reasons, Applicants submit that Vercellotti et al. fails to disclose or suggest a method which includes specifying first and second read ranges of IDs by one of a start value and an end value, and an exponent value which sets a size of a read range of IDs, where an end value E of a read range is calculated by the formula  $E=S + 2^e - 1$  when the read range is specified by a start value S of the read range and an exponent value e, as recited in claims 7 and 12.

**B. Vercellotti et al. fails to disclose or suggest a method which includes specifying first and second read ranges of IDs by one of a start value and an end**

**value, and an exponent value which sets a size of a read range of IDs, where a start value S of a read range is calculated by the formula  $S=E - 2^e+1$  when the read range is specified by an end value E of the read range and an exponent value e, as recited in claims 8 and 13.**

As discussed above, Vercellotti's read range of tag identification numbers is not specified by an exponent value which sets a size of a read range of the tag identification numbers.

Applicants submit that Vercellotti's read range of tag identification numbers is also not specified by an end value. Rather, Vercellotti's read range is specified only by a start value, i.e., the interrogation address A, and all tags having an identification number greater than this address reply to the interrogator 26.

As discussed above, Vercellotti et al. fails to disclose or suggest any calculation of a read range. As there is no calculation of a read range, nor any specification of an end value, Applicants respectfully submit that there is no calculation using the formula  $S=E - 2^e+1$ .

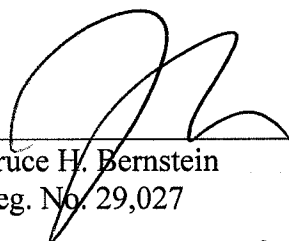
For at least these reasons, Applicants submit that Vercellotti et al. fails to disclose or suggest a method which includes specifying first and second read ranges of IDs by one of a start value and an end value, and an exponent value which sets a size of a read range of IDs, where a start value S of a read range is calculated by the formula  $S=E-2^e + 1$  when the read range is specified by an end value E of the read range and an exponent value e, as recited in claims 8 and 13.

SUMMARY AND CONCLUSION

For at least the reasons discussed above, Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect.

Should the Examiner or the panel have any questions or comments regarding the present application, they are invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Takashi TANAKA et al.

  
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